



CORPORATION OF THE TOWN OF NEWMARKET

BY-LAW NUMBER 2004-161

A BY-LAW TO AMEND BY-LAW NUMBER 1979-50, 1981-96 AND 1981-114 AS AMENDED, BEING A RESTRICTED AREA (ZONING) BY-LAW. (ACCESSORY DWELLING UNITS – HOUSEKEEPING BY-LAW)

WHEREAS it is deemed advisable to further amend By-law Number 1979-50, 1981-96 and 1981-114 as amended;

THEREFORE BE IT ENACTED by the Municipal Council of the Corporation of the Town of Newmarket as follows;

THAT By-law Number 1981-96, 1981-114 and 1997-127 as amended, be and the same is hereby further amended by:

1. Adding Section 3.49(e) to By-law 1981-96 and Section 3.102 to By-law 1981-114 as follows:
"Dwelling, Accessory Unit
means one self contained dwelling unit created through converting part of or adding onto an existing dwelling."
2. Adding to Section 8.1(4) and 8(A).1(4) of By-law 1981-96 and Section 8(H)(2) of By-law 1981-114 the following:
"An Accessory Dwelling Unit as defined herein"
To permit an accessory dwelling unit as permitted uses in all single family and two family zones.
3. No person shall, in any Residential (R) Zone, use more than one half of the aggregate area of either a front yard or an exterior side yard for purposes of off-street parking or driveways, except in the case of a lot having frontage of less than 11.5 metres where no person shall use more than two-thirds of the aggregate area of either a front yard or an exterior side yard for purposes of off-street parking or driveways.
4. Notwithstanding Section 6.11 of By-law 1981-96, and Section 6.23 of By-law 1981-114, and any other provisions of the by-law to the contrary, an accessory dwelling unit may be permitted in a cellar or basement provided all other municipal codes are met.
5. Notwithstanding Section 6.23 (1) of By-law 1981-96 and Section 6.13(9) of By-law 1981-114, the parking requirement for a two unit house shall be four (4) exterior parking spaces which shall be accessed by a municipal road or other access satisfactory to the Director of Public Works.
6. No new accessory dwelling unit shall be permitted within the floodplain as determined by the Zoning Maps of By-law 1979-50, 1981-96 and 1981-114 and / or the Lake Simcoe Region Conservation Authority.
7. The accessory dwelling unit shall be secondary to the main residential dwelling unit and shall not change the residential character of the dwelling unit or adversely impact the neighbourhood.
8. Adding to Section 1 of By-law 1997-127 the following:
"An Accessory Dwelling Unit shall also be permitted in any single family detached dwelling permitted by this by-law subject to the requirements of By-law 1979-50."

ENACTED THIS 27TH DAY OF SEPTEMBER, 2004.



Tom Taylor, Mayor



Anita Moore, Town Clerk